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SUBJECT: IDP RETURNS - WHAT WE SHOULD AND SHOULD NOT DO TO SUPPORT THEM

REF: A. A) BAGHDAD 2960

[B. B\)](#) BAGHDAD 3004

[C. C\)](#) BAGHDAD 2308

Classified By: Ambassador Ryan C. Crocker for Reasons 1.4(b) and (d).

¶1. (C) SUMMARY: Since the beginning of 2008, over 125,000 Iraqis have returned to their homes out of a total displaced population of 4.8 million persons (internally displaced and refugees). About half of the returns have been to Baghdad. All measures show the numbers are increasing, albeit slowly. Security remains the overriding factor motivating and inhibiting returns. The Government of Iraq (GOI) has taken important steps to encourage returns, in particular the Prime Minister's order on property restitution. However, its efforts to establish property restitution and assistance centers have been slow and under-resourced, public awareness efforts to inform IDPs and refugees of the availability of grants and stipends and how to access them have been weak, and actual pay-outs have been slow. The GOI continues to refuse to assist Iraqi refugees and there will be a continuing need for large scale humanitarian assistance for several years to come. Security, stability and political accommodation are the key conditions for returns and our support for these priorities will remain by far the most effective way in which we support returns. We can facilitate the returns process by encouraging the GOI to expand and strengthen local returnee assistance centers, social services and incentives for returnees and public outreach to IDPs inside Iraq and refugees abroad. We should promote and support efforts by UNHCR and other humanitarian actors to enhance delivery of assistance services for returnees. However, in our efforts to promote durable solutions for Iraqi IDPs and refugees, we must be mindful of potential pitfalls and avoid unintended consequences. Return and reintegration must be a gradual and voluntary process. We should not rush or force it. End Summary.

FIGURES ON IDPS AND REFUGEES

¶2. (SBU) According to Ministry of Displacement and Migration (MODM) - International Organization for Migration (IOM) and United Nations High Commissioner for Refugees (UNHCR) figures, 4.8 million Iraqis are displaced. Approximately 1.5 to 2 million Iraqis have fled to neighboring countries, mainly Jordan and Syria. The largest flow of refugees occurred after the Samarra mosque bombing in February 2006, but there are no definitive refugee numbers. Inside Iraq, there are 2.8 million displaced persons, nearly 1.6 million of whom were displaced since February 2006. Approximately two-thirds of Iraq's post-Samarra IDPs and refugees were displaced from Baghdad. The September 2008 IOM Returnee Monitoring and Needs Assessments Tabulation Report indicates that, since January, 21,066 families (126,396 persons) returned to their homes, of which 9,790 families or 58,740 individuals returned to Baghdad. The returnee figure represents less than 2.6% of the total displaced population. IOM and UNHCR data show that 85% of returnees to date are IDPs with only 15% refugees. However, the 85% of returnees who are IDPs represent 7% of the total post Samarra IDP

population. Multi-National Division-Baghdad (MND-B) estimates of returns for the Baghdad area are considerably higher) 31,000 families or approximately 155,000 persons.

¶3. (SBU) On September 21, RefCoord brought together IOM, UNHCR and MND-B to share their respective data collection methodologies and sources to attempt to reconcile their differing figures. We expect that improved information-sharing will provide more accurate and timely reporting on returns in Baghdad. IOM anticipates that access to data from the Brigades, with their continuous presence and more numerous data sources from police precincts, will result in an upward revision in its returnee estimates. One reason for the difference is that local police may be capturing data on returnees who are not registered and not seeking assistance. It will take some time for IOM to reconcile and analyze data provided by MND-B. There was agreement that while IDPs and refugees are certainly not flooding back, there is a clear trend of increasing numbers of families returning to neighborhoods in the city as security improves. Most of recent returnees were displaced in other parts of Baghdad.

FACTORS THAT INFLUENCE RETURNS

¶4. (SBU) Security continues to be the principal, overarching factor prompting and impeding returns. Other factors may influence returnee decisions, but they are secondary. Returnees (in IOM and NGO returnee surveys, reports from UNHCR and conversations with U.S. officials) have stated that news on security and other conditions from neighbors and relatives in their home neighborhoods was the key factor in

BAGHDAD 00003108 002 OF 006

determining whether the time was right to come back. While the GOI has publicly announced its policy on property restitution and the standing-up of return registration centers, government promises of assistance have minimal influence on decisions to return. Those who have returned did so in areas where they had confidence in the police and local councils to maintain public safety and to carry out their responsibilities in a professional and non-sectarian manner.

¶5. (C) We have heard reports of intimidation and violence against returnees in some areas. Indeed, a week after RefCoord and other Emboffs visited the Saydiyah Support Council on August 28 (reftel A), one of the council members we met with was assassinated by an IED placed under his car. It is unclear why the Support Council member, a Shia, was murdered or who killed him. Subsequent to the murder, another councilman fatalistically told Baghdad PRT that he too expects to meet the same fate. The Support Council has been functioning more or less at its own expense, financing its efforts out of the pockets of the leadership of the council. The volunteer members do not enjoy any special security arrangements and must live in their neighborhoods.

¶6. (C) In late August, local media reported on three sniper incidents targeting returning Shia IDPs to Sunni neighborhoods in the Mansour district of western Baghdad. In early September, a group of 30 IDP families in the Abu Ghurayb area of Baghdad seeking protection from terrorist attacks so they could return home got an Imam and a sheikh to successfully intercede on their behalf with the Iraqi Army commander in their area to boost security presence at a main intersection. Even in Rashid, with some of the most successful returns efforts, including Sayedia, there have been several recent incidents of Molotov cocktails thrown at houses of returnees by members of the opposite sect.

¶7. (S) Seventeen attacks involving IDP returns were reported in western Baghdad between August 28 and September 13. Both Sunni and Shia returnees were targeted. Not surprisingly, an analysis of IDP-related violence reveals that the greater the number of returnees, the greater the risk of violence. Of

particular concern are those neighborhoods that suffered a sectarian shift as a result of people fleeing violence (for example, Sunni to Shia or vice versa) and now must change back.

¶8. (SBU) The decision to return is also influenced by property restitution, destitution in displacement, employment and/or entrepreneurial opportunities, schools, health care, and basic services (sanitation, electricity, etc.).

Government incentives in the form of one million Iraqi Dinar (USD 849.62) return grants and rental stipends are welcome, and in many instances sorely needed, but their availability or absence does not drive individual return decisions.

Iraq's severe housing shortage has exacerbated displacement and impedes solutions. (Note: The Ministry of Construction and Housing estimates that two million additional housing units will be needed in the next five to seven years. End note.) Large numbers of vacated houses drew in opportunistic squatters to neighborhoods where the sectarian balance had been upended by sectarian violence. In some areas, militias organized and continue to control this &resettlement⁸ process as a means to obtain illegal rents and to hold ground in neighborhoods they took over.

¶9. (SBU) Returns have been and will likely remain a neighborhood-by-neighborhood phenomenon. People are returning where security is good and the atmosphere is welcoming. The returns process we have seen in the Sayedia, Hadar and Risalah areas of Rashid are not generalized across the city. Returns in other areas will be more challenging, such as Hurriya, where 7,500 Sunni families were displaced by Shia militias in 2006-2007. Even here, however, there is some progress. The National Police Karkh District Commander told Baghdad PRT September 23 that police assisted returns are starting to address the Adel-Hurriya problem. (Note: Sunnis being evicted from Adel to make room for returning Shia, but not getting assistance returning to their homes in Hurriya (reftel A). End Note) The commander cited 259 recent police-assisted returns to Adel and 188 returns to Hurriya. He said that these figures could understate actual returns, as many IDPs do not register or seek assistance if their houses are vacant.

¶10. (SBU) IOM data show refugees constituting approximately 15% of surveyed returnees to date. We assess that refugees will remain slower to return than IDPs because they are heavily Sunni and many were displaced from areas of Baghdad that experienced the worst ethnic cleansing. As the GOI has done little to assist them, there is a very low level of trust for the GOI among the refugee population and they are

BAGHDAD 00003108 003 OF 006

likely to have less knowledge about conditions inside Iraq. In addition, it is much easier for IDPs displaced in different parts of Baghdad to assess conditions in their original neighborhoods and to move back, all the while knowing that they could easily leave if the situation deteriorates. For the refugees, a return move is likely to be a one-time event. It would be very difficult for most to return abroad. Many Christians and other small minorities, who are disproportionately represented among the refugee population, are unlikely to return. Additional factors inhibiting return are that some refugees are relatively well off and some professionals may have found acceptable employment. In general, we expect that most refugees will want a higher degree of certainty about improved conditions before consenting to return and they will lag substantially behind IDPs in returning.

GOI POLICY

¶11. (SBU) The Prime Minister's property restitution decree was designed to facilitate returns (reftel A). The decree and the Ministry of Displacement and Migration (MODM) payments policy provide a process for evicting squatters, grants and stipends for IDPs, and the opening of centers to

assist IDPs with return registration and property restitution claims. MODM has also informed us of other GOI steps aimed at facilitating returns, such as re-employment rights for displaced GOI employees, re-integration programs for returning school children, vocational training, and customs exemption for returnees, HHE and one vehicle per family. Implementation and impact remain to be seen. While the GOI announced in August the opening of two centers in Baghdad where returnees could apply for property restitution and financial grants and stipends, only one center, in Rusafa, was actually functioning by mid-September. As of this week, that office had processed only 426 cases, using a slow and cumbersome process. MODM's Director General for Humanitarian Affairs acknowledged to RefCoord and to UN agencies September 23 that the Ministry lacks the staff and the capacity to handle a large influx of applicants. In early September, MODM asked UNHCR for \$300,000 and technical assistance to stand up the Karkh office. Meanwhile, it appears that the Baghdad Operations Center (BOC) and Iraq's Implementation and Follow-Up Committee for National Reconciliation (IFCNR) have opened the office in Karkh and are starting to enforce evictions in West Baghdad. While returnees seem widely aware of GOI promises of assistance, many returnees do not know how to apply and many face difficulty going from West Baghdad to Rusafa to file their claims.

¶12. (SBU) The Rusafa assistance center is a promising start, but MODM needs more centers and more employees to staff them.

The USAID representative on Baghdad ePRT2 visited the Rusafa returnee registration center for east Baghdad on September 14. He found the center "swamped" with returnees. Staffers at the center were busy registering those who had returned and found their homes occupied by squatters. The eviction data is supposed to be passed to police, who would give squatters 72 hours notice to move out or face eviction.

However, the director of the center indicated that only five evictions had been completed. It was unclear if the reason was inaction on the part of the police or a communication breakdown relaying eviction information and tasking the Iraqi Security Forces (ISF) units who would carry out the evictions. In a separate visit the same day to the regional area police command for east Baghdad, the e-PRT met with the senior commanding officer who, during the visit, reminded his men to inform squatters they must move out of illegally occupied houses or face eviction. The officer reportedly ordered his men to physically evict non-complying squatters.

¶13. (SBU) The GOI has no policy for undoing sectarian cleansing in the areas where there has been a wholesale displacement of one sect by another. MODM Minister Sultan and IFCNR Chairman Mohamed Salman have stated on several occasions that the property restitution policy depends on individual requests for restitution from property owners. There would be no wholesale eviction of squatters from neighborhoods (reftel A). As such, in neighborhoods like Hurriya, which went from heavily Sunni to heavily Shia and remain under militia influence, property restitution may not necessarily result in large numbers of returns. It could result in Sunni property owners opting to rent or sell their vacated properties if they do not believe their neighborhoods secure enough to return to. Sunni leaders frequently cite the inability and perceived unwillingness of the GOI to take steps to reverse the worst of the sectarian cleansing as calling into question whether the GOI genuinely wants Sunni refugees and IDPs to return to Baghdad.

¶14. (C) A continuing element of GOI policy is its refusal to

BAGHDAD 00003108 004 OF 006

support the refugee population. Apart from the \$25 million which the GOI pledged in April 2007 and took until June 2008 to fully disburse, the Iraqi Government has provided little assistance to its 1.5 to 2 million citizens displaced outside the country. PM Maliki and other senior GOI officials have consistently opposed assistance to the refugees, based to

alternating degrees on the views that they are mainly Baathists and Sunnis who oppose his government, that the refugees are well off and on the contradictory view that assistance perpetuates the presence of refugees in neighboring countries. Some senior officials, including MODM Sultan, articulate the view that the refugees should all return and agree that assistance allows them to remain abroad. MODM most recently expressed this view in an interview published in Sharq al Awsat September 19.

(Comment: UNHCR and the humanitarian community reject as absurd the argument that UNHCR is impeding returns with its very modest support (\$130 per month stipends in Syria and \$166 per month in Jordan, food distribution and other forms of life saving assistance) to fewer than 40,000 of the most vulnerable refugees in Jordan and Syria. Sultan might think such statements will help deflect attention from criticism of own ministry's poor performance and inability to push the pace of returns.) Other GOI and Kurdistan Regional Government (KRG) officials and Council of Representatives (CoR) leaders believe the GOI should provide much more support to assist refugees and IDPs. They privately recognize that the GOI could not accommodate large scale and rapid returns and acknowledge that reintegration will take years. The GOI's absence in taking care of its own citizens has sown distrust and alienation among the refugees in particular, which decreases the credibility of GOI promises of assistance to returnees.

¶15. (SBU) MODM's grants and stipends are laudable, however its performance in implementing the system and making it known and accessible to has been weak inside Iraq and non-existent in neighboring countries. MODM needs to substantially strengthen outreach efforts to IDP's, refugees abroad, and to returnees alike.

UNHCR POLICY ON REFUGEE RETURNS

¶16. (SBU) UNHCR assesses that basic conditions for sustainable, large scale return of Iraqi refugees in conditions of safety and dignity are not yet in place. As such, UNHCR does not promote return to Iraq and also remains concerned about conditions which may unduly force refugees to choose to return. UNHCR has appealed to asylum countries to extend protection to Iraqis who originate from Central and Southern Iraq and to refrain from forcible returns to these regions at this time.

¶17. (SBU) However, UNHCR acknowledges that the GOI has launched an initiative through its embassies and with countries of asylum to encourage and assist Iraqis to return home. While UNHCR will neither encourage nor discourage a refugee from returning, it will assist refugees who choose to return voluntarily on an individual basis with transport costs and return grants. However, UNHCR will not carry out organized return transport by bus because organized buses could become targets for attack. Inside Iraq, UNHCR will continue to provide shelter reconstruction and community-based assistance to returnees and will offer legal assistance through its protection assistance centers. UNHCR's policy put it at odds with MODM's desire to promote large scale returns. Given MODM's desire for highly visible returns, UNHCR has cautioned the ministry to avoid bus convoys which could be difficult to protect. For now, MODM appears to have taken that advice and is looking at arranging air transport for Iraqis wishing to return from neighboring countries.

U.S. POLICY TOWARD RETURN AND RETEGRATION

¶18. (S) Coalition Forces (CF) have partnered with the ISF to monitor resettlement operations in Baghdad and ensure that security gains are not jeopardized or negatively impacted by returns of displaced Iraqis. Working in coordination with the ISF, CF prepare the security environment for return by anticipating areas more susceptible to violence through identification and analysis of resettling Iraqis, contentious areas, and attacks on displaced/returnee populations. The ISF play the decisive role in resettling and protecting the

returnees. CF are prepared to reinforce security if violence levels exceed ISF capabilities, but will not participate in resettling returnees and will not serve as the primary security enablers for returnees.

¶19. (C) Security is the key to successful voluntary returns. As IDPs and refugees perceive that their areas are safe, we expect that many will seek to return and will need help to do

BAGHDAD 00003108 005 OF 006

so. However, we should have no illusions -- the voluntary return and reintegration of Iraq's IDP and refugee populations will be a slow process that will take years (if returns averaged 250,000 per year it would take nearly 20 years). We should avoid any appearance of forcing the process or siding with a GOI policy that Sunnis widely perceive as biased. We should recognize that a significant portion of the displaced will never return, opting to integrate locally or resettle in third countries. We should also be cognizant that a slow and gradual pace of returns is likely to be sustainable and less likely to provoke renewed sectarian violence and instability. Responsibility for a successful returns plan ultimately rests with the GOI and depends on its ability to foster security, stability and political accommodation. These remain the overriding U.S. objectives in Iraq. If the GOI generates the right conditions, many Iraqis will eventually return.

PROGRAMS TO PROMOTE AND SUPPORT

¶20. (C) There will be a continuing need for large scale humanitarian assistance programs for refugees and IDPs for several years to come. The U.S. can support efforts promoting voluntary return.

¶21. (C) We should continue to press the GOI to pursue confidence-building efforts and tangible programs to assist the return-reintegration process. The GOI should:

-- Ensure that Sons of Iraq (SOI) elements are fully in sync with and supporting National Police and national policy on returns;

-- Improve police performance, rid the ISF of sectarian elements, and follow-through consistently on enforcing private property rights by evicting squatters to return property to owners;

-- Strengthen MODM presence in neighborhoods and improve GOI effectiveness in distributing promised return grants, damage compensation, and rent stipends to evicted squatters;

-- Ensure adequate support to governorates to support local integration of IDPs who wish to remain in where they were displaced.

-- Implement social and incentive programs that encourage return and reintegration: health and psycho-social care, remedial education and recognition of credentials from foreign schools, vocational training, re-employment rights for civil servants, specialized incentive and training programs for highly skilled professionals, such as doctors, and duty free entry of returnees, HHE.

-- Promote information campaigns in neighboring countries about available assistance (and how to access it) and facilitate registration process;

-- Publicize information about where returns are taking place and the numbers of returnees to those neighborhoods; and

-- Ensure a consistent non-sectarian implementation and message.

¶22. (C) The U.S. should encourage and support UNHCR and NGO efforts to strengthen GOI capacity to assist IDPs and to

prepare for returns. Things we can do:

-- Returnee Assistance Centers: MODM's plan to stand-up centers for property restitution and assistance to returnees is sound, but implementation remains weak and MODM lacks the capacity to handle the current caseload. It is increasingly clear that MODM will only succeed in distributing benefits to the large number of eligible returnees if the international community provides the capacity. International Medical Corps had submitted a technical assistance proposal. UNHCR and IOM are considering approaches now. We will need to be prepared to fund them urgently.

-- Legal aid: We should work with UNHCR and NGOs to expand legal services assistance with regard to accessing the public distribution system (PDS), property records, civil documents and filing claims to quiet title or to obtain eviction orders. Services could also include conflict mitigation to address issues arising out of the evictions process. UNHCR has one Protection Assistance Center (PAC) in Baghdad which provides these services on a small scale. It plans to provide staff to the GOI return centers. We should work to expand UNHCR and NGO capacity in Iraq and establish similar centers to assist refugees in neighboring countries.

-- Property: The GOI has launched a sound restitution

BAGHDAD 00003108 006 OF 006

policy, but it is too early to judge implementation. \$1.5 million in reprogrammed IRF will continue IOM technical assistance to the Commission for Resolution of Real Property Disputes (CRRPD) on Saddam-era claims and advising the GOI on potential post-Saddam era claims mechanisms.

-- IDP/refugee housing: Urge the creation of a body (inter-ministerial, with appropriate outside participation, such as Embassy, UNHCR, UN Habitat) to determine what kind of housing inputs would promote returns, particularly at the neighborhood level.

--Social programs: Support health and education programs targeting needy returnees.

--Non-Food Items (NFIs) and Food: Continue to support international organization and NGO programs to provide non-food items, shelter repair kits and food to needy returnees.

COMMENT

¶23. (C) The GOI's focus on enforcing private property rights is the most important element of its returns policy. It enhances the rule of law and the credibility of the state and is an essential element of reconciliation. As security gains continue, effective implementation of this policy has the potential to draw back large numbers of the displaced and permit those who opt not to return to make use of their properties as they deem fit. At the time, local leaders and MNF-I have expressed concern that a rush of returnees, with concomitant evictions of squatters, could restart sectarian violence. Low levels of violence and intimidation against returnees continue, especially in contentious areas of Adel, Hurriya, East Rashid and Abu Gharaib. Sunnis express concerns about fair treatment in the property restitution process -- some Shia do not want the Sunnis back and so far there has been no sign of GOI readiness to evict large numbers of Shia squatters. Moreover, returns of large numbers of Sunnis could upset Shia dominance in Baghdad and influence election outcomes. Indeed, Hurriya will be a bell weather of GOI intentions in this respect.

¶24. (C) We must beware that the GOI may perform badly and not gain Sunni trust. Strong USG support for a flawed returns process that is widely viewed by Sunnis as sectarian could provide ammunition to Sunni extremists. Jordan and Syria continue to maintain that they will not expel Iraqi refugees.

This is critical to stability in Iraq by preserving the voluntary nature of return and preventing massive flows of people that could overwhelm the absorption capacity of the GOI and provoke renewed sectarian violence. IOM surveys of GOI assisted returns from Cairo show that half of returnees cited destitution as the principal factor prompting their return. UNHCR views this as forced return. It is critical that we maintain strong support for UNHCR and NGO programs providing basic assistance to refugees for several years to come. We can help to supplement the GOI's weak returns capacity. Unwinding the massive sectarian cleansing and displacement of 2006 and 2007 has started and will be sustainable if it proceeds gradually and the GOI performs well. We are going to great lengths to support return and reintegration, but we cannot rush or force it.

CROCKER